

Attorney Docket: 02301 CON 2  
U.S. Application No. 10/717,892 Examiner Desir Art Unit 2617  
Response to January 28, 2008 Final Office Action

### **REMARKS**

In response to the final Office Action dated January 28, 2008, the Assignee respectfully requests continued examination and reconsideration based on the above amendments and on the following remarks. The Assignee respectfully submits that the pending claims are ready for allowance.

Claims 1-3 and 5-19 are pending in this application. Claims 4 and 20 are canceled without prejudice or disclaimer.

#### **Double-Patenting Rejection**

Claims 1-3 and 5-19 were rejected for obvious-type double patenting over the claims of U.S. Patent 7,127,051 (Attorney Docket 02145). The Assignee herewith submits a terminal disclaimer to overcome this rejection.

#### **Rejection of Claim 20 under § 112**

Claim 20 was rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Claim 20, however, has been canceled without prejudice or disclaimer, so the rejection is moot.

#### **Rejection of Claim 20 under § 101**

Claim 20 was rejected under 35 U.S.C. § 101 for claiming non-statutory subject matter. Claim 20, however, has been canceled without prejudice or disclaimer, so the rejection is moot.

#### **Rejection of Claims over *Fuller & Jones***

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Claims 1-3, 5-8, 10-14, 16, and 18-20 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,775,546 to Fuller in view of U.S. Patent 6,195,422 to Jones *et al.*

First, because claim 20 has been canceled without prejudice or disclaimer, the rejection of this claim is moot.

Second, the remaining claims cannot be obvious over the combined teaching of *Fuller* and *Jones*. These claims recite, or incorporate, features that are not taught or suggested by *Fuller* and *Jones*. Independent claims 1 and 11 have been amended to recite features similar to those allowed in U.S. Patent 7,127,051 (Attorney Docket 02145). As both *Fuller* and *Jones* have been thoroughly discussed in previous responses, no further discussion is necessary. Still, the combined teaching of *Fuller* and *Jones* fails to teach or suggest receiving “a call at a service-providing network, the call routed from a native transport network to a virtual telephone number in the service-providing network, the native transport network having limited or no capability of providing advanced telephony service.” The proposed combination of *Fuller* and *Jones* also fails to teach or suggest providing “the advanced telephony service to the call, wherein the virtual telephone number utilizes the intelligent services provided by the service-providing network.” The call is routed “from the service-providing network to a terminating network destination” and “a duration of said call traversing the service-providing network” is monitored. Because *Fuller* and *Jones* fail to teach or suggest all these features, one of ordinary skill in the art would not think that independent claims 1 and 11 are obvious.

Claims 1-3, 5-8, 10-14, 16, and 18-19, then, are not obvious. Independent claims 1 and 11 recite many features that are not taught or suggested by *Fuller* and *Jones*. The respective dependent claims incorporate these same features and recite additional features. One of ordinary skill in the art, then, would not think that claims 1-3, 5-8, 10-14, 16, and 18-19 are obvious. The Office, then, is respectfully requested to remove the § 103 (a) rejection of these claims.

**Rejection of Claims 9, 15 & 17**

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Claims 9, 15, and 17 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Fuller* in view of *Jones* and further in view of U.S. Patent Application Publication 2003/0050100 to Dent. As the above paragraphs explained, *Fuller* and *Jones* are both silent to all the claimed features of independent claims 1 and 11. The additional disclosure of *Dent* does not cure these deficiencies. *Dent* describes telecomm equipment (e.g., an antenna) that is shared by multiple service providers. See U.S. Patent Application Publication 2003/0050100 to Dent at paragraph [0006]. Because the equipment is shared, *Dent* also discloses billing schemes to account for each service provider's usage. See *id.* at paragraphs [0016] and [0023] through [0025].

Still, though, *Fuller*, *Jones*, and *Dent* fail to teach or suggest all the claimed features. As the above paragraphs explained, claims 9, 15, and 17, respectively, depend from independent claims 1 and 11. Claims 9, 15, and 17, then, incorporate these same distinguishing features and recite additional features. Because the combined teaching of *Fuller*, *Jones*, and *Dent* fails to disclose all the claimed features, one of ordinary skill in the art would not think that claims 9, 15, and 17 are obvious. The Office, then, is respectfully requested to remove the § 103 (a) rejection of claims 9, 15, and 17.

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If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or [scott@scottzimmerman.com](mailto:scott@scottzimmerman.com).

Respectfully submitted,



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